



ADVISORY PLANNING COMMISSION REPORT

To: Advisory Planning Commission Members

Date: October 20, 2021

From: Meg Jacks, Planner I

File No: TUP 18-03.01

Subject: **TUP 18-03.01., Temporary Use Permit Renewal, 350 – 1405 Stevens Rd**

BACKGROUND

To consider a renewal application for a Temporary Use Permit to allow 350-1405 Stevens Rd to continue operating a commercial winery on a parcel zoned for Light Industrial (I1) for an additional three years.

PROPERTY DETAILS			
Address		350-1405 Stevens Rd, West Kelowna	
PID		008-762-678	
Folio		36412718.000	
Lot Size		30,060 m ²	
Owner	0838235 BC Ltd – Midwest Ventures Ltd. Argus Industries Ltd.	Agent	Tender Hope Holdings Ltd. Midwest Ventures Ltd
Current Zoning	Light Industrial I1	Proposed Zoning	N/A
Current OCP	Industrial	Proposed OCP	N/A
Current Use	Commercial Winery – TUP 18-03	Proposed Use	Commercial Winery
Development Permit Areas		N/A	
Hazards		N/A	
Agricultural Land Reserve		No	

ADJACENT ZONING & LAND USES		
North	^	A1 – Agricultural Zone
East	>	I1 – Industrial Zone
West	<	I1 – Industrial Zone
South	v	C4 – Service Commercial Zone

NEIGHBOURHOOD MAP



PROPERTY MAP



Temporary Use Permit History

This application is seeking a renewal to the existing Temporary Use Permit, TUP 18-03, which was issued on August 17, 2018 and expired August 14, 2021.

Proposal

This application is seeking a renewal to the existing Temporary Use Permit, TUP 18-03, to continue operating a commercial winery in an I1 zone which currently does not permit the use of a winery.

The operation of a commercial winery involves the following on-site components:

- On-site manufacturing;
- Filtering and bottling;
- Fermentation in both stainless steel tanks and oak barrels;
- Storage of packaged goods; and
- Wine tastings.

While the proposed permit is intended to be temporary, if the TUP request for renewal is approved, the applicant is hopeful that the City's future housekeeping amendments to the Zoning Bylaw considers the inclusion of winery as a permitted use within the I1 zone.

Applicant Rationale

The applicant has provided a letter of rationale outlining the positive impacts the winery has had on the community over the last three years. It has been operating in good standing, provides employment opportunities for local residents and contributes to the West Kelowna tourism industry.

DISCUSSION

Planning

The subject property is located within the City's Business Park. The subject property is 30,060 m² in size and is zoned Light Industrial. The 2014 Zoning Bylaw review added brewery, distillery and meadery uses to the Light Industrial (I1). A winery is a use of a similar nature and as such it may be included in the Zoning Bylaw housekeeping amendments. The proposed use will not negatively impact the surrounding uses or areas.

Legislative Requirements

Section 497 of the *Local Government Act* regulates that the Temporary Use Permit may be renewed only once for a period of up to three years at the discretion of Council.

Policy & Bylaw Review

Official Community Plan (OCP)

The subject property currently maintains a Growth Management Designation (GMD) of Corridor which supports the promotion of economic development through the increase of mixed uses. The proposed use is consistent with the OCP's Land Use Designation of Industrial which contains policy statements to ensure diverse employment opportunities and a broad range of industrial and industrial-related uses.

Zoning Bylaw No. 0154

The subject property is zoned Light Industrial (I1). The purpose of this zone is to accommodate light industrial and associated uses.

In 2014 the City added brewery, distillery and meadery to the I1 zone. The City will potentially be considering the inclusion of wineries as part of the next housekeeping review.

Referral Comments

After completing the initial referral stage there are no concerns from internal or external agencies. The Fire Department highlighted that the property completed substantial fire upgrades.

KEY CONSIDERATIONS

In providing recommendations to City staff and Council, the APC may wish to consider the following:

- The business has been operating on the property for a three year period with no issues reported from Bylaw.
- The proposed use will not negatively impact surrounding uses.

APC Consideration

Specific comments would be appreciated should the APC have any concerns with the proposed application, so that they may be further investigated or considered prior to staff providing recommendation to Council.

Respectfully submitted,

Meg Jacks, Planner I

Powerpoint: Yes ☒ No ☐

Attachments:

1. Context Map
2. Subject Property Map

3. Permit (TUP 18-03)
4. Draft Permit (TUP 18-03.01)
5. Applicant's Rationale Letter - Renewal